

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
TUESDAY, FEBRUARY 10, 2004  
AT 9:00 A.M.**

---

I. Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

- a. *Southern California Underground Contractors, Inc. v. City of San Diego*  
San Diego Superior Court No. GIC 754273
- b. *Chargers Football Company, LLC v. City of San Diego*  
Los Angeles Superior Court No. BC 306 758
- c. *Border Business Park v. City of San Diego*  
Appellate Case No. D039225; San Diego Superior Court No. GIC 692794  
*Otay Acquisitions v. City of San Diego*  
San Diego Superior Court No. GIC 753247  
*National Enterprises, Inc. v. City of San Diego*  
San Diego Superior Court Nos. GIC 791407; GIC 805465  
*City of San Diego v. Insurance Company of the State of Pennsylvania*  
U.S. District Court Case No. 02 CV 0693 JM (RBB).

II. Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

- a. Number of cases: One

III. Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

- a. Number of cases: One

IV. Conference with Real Property Negotiator, pursuant to California Government Code section 54956.8:

- a. Property: Qualcomm Stadium
- City Negotiator: Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, Paul Jacobs, Esq., Daniel S. Barrett, and Robert J. Kheel
- Negotiating Parties: City of San Diego and the San Diego Chargers
- Under Negotiation: Real Property Interests at the Qualcomm Stadium site pursuant to the recommendations of the Citizens Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.

V. Conference with Labor Negotiator, pursuant to Government Code section 54957.6:

- a. Agency Negotiators: Michael Uberuaga, Lamont Ewell, Cathy Lexin, Mike McGee
- Employee Organizations: Municipal Employees Association, Local 127 AFSME, AFL-CIO, Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association.

VI. Public employment, pursuant to California Government Code section 54957(b)(1):

- a. Title: City Auditor